

REMARKS

The Examiner previously indicated in the final rejection of 4/19/06 that claims 9 and 10 would be allowable. Therefore, claim 1 was amended to contain the subject matter of claim 9 with amended claim 10 to be

5 dependent from amended claim 1, and claims 8 and 9 were cancelled. New claims 33 -35 were added which contained the subject matter of claim 9.

However, the Examiner refused to allow the case and issued an advisory action refusing to enter the amendment and maintaining the final rejection on grounds that limitations have been removed from the claims.

10 He also indicated he would not consider the IDS with European Art cited by the EPO unless the finality of the rejection was removed.

To get this EPO art considered and have the Examiner consider the amended claims, an RCE has been filed with this amendment.

Respectfully submitted,

15 Dated: 10/12/06



Ronald Craig Fish

Reg. No. 28,843

Tel 408 866 4777

Cell 408 836 3642

Fax 408 866 4785

RCFIPLAW@COMCAST.NET

WWW.HITECH-

20

PATENTS.COM

25

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as First Class Mail, with sufficient postage prepaid,

in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Va. 22313-1450

on 10/12/06
(Date of Deposit)

5


Signature of Depositor

10

RONALD C. FISH
Printed name of Depositor